

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

02-CR-401 (KMW)

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 2/11/16

-against-

CHRISTIAN GATON,

ORDER

Defendant.

-----x
WOOD, D.J.:

Christian Gaton has filed a "Request for Modification of Sentence Pursuant to Title 18 of the United States Code Section 3582(c)(2) and Amendment 782 and 505 and 709 and 711 of the United States Sentencing Guidelines." He has also requested appointment of counsel.

Because the Defendant's sentence was based upon his Sentencing Guideline range for First Degree Murder, and not on the amount of drugs involved in the crime, Mr. Gaton is ineligible for a reduction. Thus, no purpose would be served in appointment of counsel.

The request is hereby denied.

SO ORDERED.

DATED: New York, NY
February 8, 2016

Kimba M. Wood

KIMBA M. WOOD
United States District Judge